

EC-2042. A communication from the Acting Chief of the Marine Mammal Conservation Division, National Marine Fisheries Service, Office of Protected Resources, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Taking of Marine Mammals Incidental to Commercial Fishing Operations; Atlantic Large Whale Take Reduction Plan Regulations" (RIN0648-AN88) received on May 21, 2001; to the Committee on Commerce, Science, and Transportation.

EC-2043. A communication from the Acting Chief of the Marine Mammal Conservation Division, National Marine Fisheries Service, Office of Protected Resources, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Taking of Marine Mammals Incidental to Commercial Fishing Operations; Atlantic Large Whale Take Reduction Plan Regulations; Remove and Reserve Gear Marking Requirements for Northeast U.S. Fisheries" (RIN0648-AN40) received on May 21, 2001; to the Committee on Commerce, Science, and Transportation.

EC-2044. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska—Closure for Hook-and-Line Gear Groundfish Fishing, Gulf of Alaska (except for sablefish or demersal shelf rockfish in the Southeast Outside District)" received on May 21, 2001; to the Committee on Commerce, Science, and Transportation.

EC-2045. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment to Class E Airspace; Monroe City, MO" ((RIN2120-AA66)(2001-0091)) received on May 21, 2001; to the Committee on Commerce, Science, and Transportation.

EC-2046. A communication from the Director of the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a cumulative report on rescissions and deferrals dated May 1, 2001; transmitted jointly, pursuant to the order of January 30, 1975, as modified by the order of April 11, 1986; to the Committees on Appropriations; the Budget; and Foreign Relations.

## PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-72. A resolution adopted by the Senate of the Legislature of the State of Hawaii relative to appropriated funds for children with disabilities; to the Committee on Appropriations.

### SENATE RESOLUTION NO. 47

Whereas, under Title 20, section 1411(a) of the United States Code, the maximum amount of federal funds that a state may receive for special education and related services is the number of children with disabilities in the State who are receiving special education and related services multiplied by forty percent of the average per-pupil expenditure in public elementary and secondary schools in the United States; and

Whereas, since the enactment of the Education for All Handicapped Children Act of 1975 and its subsequent amendments, including the Individuals with Disabilities Education Act of 1990, Congress has appropriated funds for a maximum of ten per cent of special education and related services for chil-

dren with disabilities when federal law authorizes the appropriation of up to forty per cent; and

Whereas, the Hawaii Department of Education received approximately \$23,500,000 in federal funds during fiscal year 1999-2000 for what was then referred to as "education of the handicapped". If this figure represented an appropriation of funds for ten per cent of special education and related services for children with disabilities, then an appropriation of forty per cent would have equaled \$94,000,000; and

Whereas, the difference between an appropriation of forty per cent and an appropriation of ten per cent for "education of the handicapped" would amount to \$70,500,000 just for the Department of Education. If the number of students receiving special education and related services equaled 22,000 during the fiscal year 1999-2000, then the difference would have amounted to approximately \$3,200 per student; and

Whereas, the State of Hawaii, through the Felix consent decree, is being compelled by the federal district court to make up for more than twenty years of insufficient funding for special education and related services—funding that should have been borne substantially by Congress, which enacted the Education for All Handicapped Children Act of 1975 and the Individuals with Disabilities Education Act of 1990; and

Whereas, if Congress is going to mandate new programs or increase the level of service under existing programs for children with disabilities, and if it is going to give the federal courts unfettered power to enforce these mandates through the imposition of fines and the appointment of masters, then Congress should provide sufficient funding for special education and related services; now, therefore, be it

*Resolved by the Senate of the Twenty-first Legislature of the State of Hawaii, Regular Session of 2001, That the United States Congress is requested to appropriate funds for forty per cent of special education and related services for children with disabilities; and be it further*

*Resolved, That certified copies of this Resolution be transmitted to the Speaker of the United States House of Representatives, the President pro tempore of the United States Senate, the Vice-President of the United States, and the members of Hawaii's congressional delegation.*

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HELMS, from the Committee on Foreign Relations, without amendment and with a preamble:

S. Res. 88: A resolution expressing the sense of the Senate on the importance of membership of the United States on the United Nations Human Rights Commission.

S. Con. Res. 35: A concurrent resolution expressing the sense of Congress that Lebanon, Syria, and Iran should allow representatives of the International Committee of the Red Cross to visit the four Israelis, Adi Avitan, Binyamin Avraham, Omar Souad, and Elchanan Tannenbaum, presently held by Hezbollah forces in Lebanon.

S. Con. Res. 42: A concurrent resolution condemning the Taleban for their discriminatory policies and for other purposes.

## EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. REED for the Committee on Armed Services.

The following named officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., section 12203:

### To be brigadier general

Col. Fred F. Castle Jr., 0000

The following named officers for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., section 12203:

### To be major general

Brig. Gen. James Sanders, 0000

Brig. Gen. David E. Tanzi, 0000

The following named officers for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

### To be major general

Brig. Gen. Kevin P. Chilton, 0000

Brig. Gen. John D. W. Corley, 0000

Brig. Gen. Tommy F. Crawford, 0000

Brig. Gen. Charles E. Croom Jr., 0000

Brig. Gen. David A. Deptula, 0000

Brig. Gen. Gary R. Dylewski, 0000

Brig. Gen. Michael A. Hamel, 0000

Brig. Gen. James A. Hawkins, 0000

Brig. Gen. Gary W. Heckman, 0000

Brig. Gen. Jeffrey B. Kohler, 0000

Brig. Gen. Edward L. LaFountaine, 0000

Brig. Gen. Dennis R. Larsen, 0000

Brig. Gen. Daniel P. Leaf, 0000

Brig. Gen. Maurice L. McFann Jr., 0000

Brig. Gen. Richard A. Mentemeyer, 0000

Brig. Gen. Paul D. Nielsen, 0000

Brig. Gen. Thomas A. O'Riordan, 0000

Brig. Gen. Quentin L. Peterson, 0000

Brig. Gen. Lorraine K. Potter, 0000

Brig. Gen. James G. Roubush, 0000

Brig. Gen. Mary L. Saunders, 0000

Brig. Gen. Joseph B. Sovey, 0000

Brig. Gen. John M. Speigel, 0000

Brig. Gen. Craig P. Weston, 0000

Brig. Gen. Donald J. Wetekam, 0000

Brig. Gen. Gary A. Winterberger, 0000

The following named officers for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

### To be major general

Brig. Gen. Michael A. Hamel, 0000

The following named United States Air Force Reserve officer for appointment as Chief of Air Force Reserve and for appointment to the grade indicated under title 10, U.S.C., sections 8038 and 601:

### To be lieutenant general

Maj. Gen. James E. Sherrard III, 0000

The following Air National Guard of the United States officers for appointment in the Reserve of the Air Force to the grades indicated under title 10, U.S.C., section 12203:

### To be major general

Brig. Gen. Gregory B. Gardner, 0000

Brig. Gen. Robert I. Gruber, 0000

Brig. Gen. Craig R. McKinley, 0000

Brig. Gen. James M. Skiff, 0000

### To be brigadier general

Col. Richard W. Ash, 0000

Col. Thomas L. Bene Jr., 0000

Col. Philip R. Bunch, 0000

Col. Charles W. Collier Jr., 0000

Col. Ralph L. Dewsnup, 0000

Col. Carol Ann Fausone, 0000

Col. Scott A. Hammond, 0000

Col. David K. Harris, 0000

Col. Donald A. Haight, 0000

Col. Kencil J. Heaton, 0000

Col. Terry P. Heggemeier, 0000

Col. Randall E. Horn, 0000

Col. Thomas J. Lien, 0000

Col. Dennis G. Lucas, 0000